

## United States District Court, Northern District of Illinois

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Name of Assigned Judge or Magistrate Judge	Charles P. Kocoras	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	07 C 6377	DATE	DEC - 4 2007
CASE TITLE	Steven Erlich # 837805 v. Vance		

## DOCKET ENTRY TEXT:

The court denies Ehrlich's motion for leave to file *in forma pauperis* without prejudice to reconsideration should he renew his motion in compliance with this order.[3] Ehrlich is given until December 26, 2007, either to file an *in forma pauperis* application on the enclosed form with the information required by § 1915(a)(2) or to pay the full \$350 filing fee. The clerk is directed to send Ehrlich an *in forma pauperis* application along with a copy of this order and is further directed to send a copy of this order to the trust account supervisor at the Rushville Department of Human Services Facility.

■ [ For further details see text below.]

Docketing to Mail Notices

## STATEMENT

The clerk has accepted this pro se civil rights complaint for docketing pursuant to Fed. R. Civ. P. 5(e) even though it was not submitted in compliance with the rules of this court. This Court requires that persons seeking leave to file *in forma pauperis* file their motions on a prescribed form. LR 3.3. The form requires inmates to obtain a certificate stating the amount of money they have on deposit in their institution trust fund account. Ehrlich did not use the complete prescribed form, did not submit the six-month trust account statement, and did not have the motion certified by an authorized officer at the Rushville Facility. If Ehrlich wants to proceed on his complaint, he must file a new motion for leave to file *in forma pauperis* on the required form and have a Rushville official provide information regarding his trust fund account. 28 U.S.C. § 1915(a)(2). He must also write the case number in the space provided for it. Failure to complete the required form fully or otherwise comply with this order are grounds for dismissal of the suit. See *Zaun v. Dobbin*, 628 F.2d 990 (7th Cir. 1980). The reason that Ehrlich, who is technically not a prisoner, must provide this information to the court is to enable the court to make the necessary initial assessment of whether he is entitled to pauper status. The court often seeks clarification of such information in nonprisoner cases, and this case is no exception. The court is unable to assess Ehrlich's pauper status based on the scant information provided to date. Since Ehrlich is institutionalized and his needs are met by the institution, it is possible that he might not qualify as a pauper in this court. Ehrlich must submit a certified copy of the trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the filing of the complaint, obtained from the appropriate official of the Rushville Facility. Failure to comply with all terms of this order before December 26, 2007, will result in dismissal of the case.

Charles P. Kocoras  
U.S. District Judge

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10/10/2007

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS

IN FORMA PAUPERIS APPLICATION  
AND  
FINANCIAL AFFIDAVIT

\_\_\_\_\_  
Plaintiff

v.

CASE NUMBER \_\_\_\_\_

\_\_\_\_\_  
Defendant(s)

JUDGE \_\_\_\_\_

*Wherever ☐ is included, please place an X into whichever box applies. Wherever the answer to any question requires more information than the space that is provided, attach one or more pages that refer to each such question number and provide the additional information. Please PRINT:*

I, \_\_\_\_\_, declare that I am the ☐ plaintiff ☐ petitioner ☐ movant (other \_\_\_\_\_) in the above-entitled case. This affidavit constitutes my application ☐ to proceed without full prepayment of fees, or ☐ in support of my motion for appointment of counsel, or ☐ both. I also declare that I am unable to pay the costs of these proceedings, and that I am entitled to the relief sought in the complaint/petition/motion/appeal. In support of this petition/application/motion/appeal, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated? ☐ Yes ☐ No (If "No," go to Question 2)  
 I.D. # \_\_\_\_\_ Name of prison or jail: \_\_\_\_\_  
 Do you receive any payment from the institution? ☐ Yes ☐ No Monthly amount: \_\_\_\_\_
2. Are you currently employed? ☐ Yes ☐ No  
 Monthly salary or wages: \_\_\_\_\_  
 Name and address of employer: \_\_\_\_\_  
  - a. If the answer is "No":  
 Date of last employment: \_\_\_\_\_  
 Monthly salary or wages: \_\_\_\_\_  
 Name and address of last employer: \_\_\_\_\_
  - b. Are you married? ☐ Yes ☐ No  
 Spouse's monthly salary or wages: \_\_\_\_\_  
 Name and address of employer: \_\_\_\_\_
3. Apart from your income stated above in response to Question 2, in the past twelve months have you or anyone else living at the same residence received more than \$200 from any of the following sources? *Mark an X in either "Yes" or "No", and then check all boxes that apply in each category.*  
  - a. Salary or wages ☐ Yes ☐ No  
 Amount \_\_\_\_\_ Received by \_\_\_\_\_

- b. ☐ Business, ☐ profession or ☐ other self-employment ☐ Yes ☐ No  
Amount \_\_\_\_\_ Received by \_\_\_\_\_
- c. ☐ Rent payments, ☐ interest or ☐ dividends ☐ Yes ☐ No  
Amount \_\_\_\_\_ Received by \_\_\_\_\_
- d. ☐ Pensions, ☐ social security, ☐ annuities, ☐ life insurance, ☐ disability, ☐ workers' compensation, ☐ unemployment, ☐ welfare, ☐ alimony or maintenance or ☐ child support ☐ Yes ☐ No  
Amount \_\_\_\_\_ Received by \_\_\_\_\_
- e. ☐ Gifts or ☐ inheritances ☐ Yes ☐ No  
Amount \_\_\_\_\_ Received by \_\_\_\_\_
- f. ☐ Any other sources (state source: \_\_\_\_\_) ☐ Yes ☐ No  
Amount \_\_\_\_\_ Received by \_\_\_\_\_
4. Do you or anyone else living at the same residence have more than \$200 in cash or checking or savings accounts? ☐ Yes ☐ No Total amount: \_\_\_\_\_  
In whose name held: \_\_\_\_\_ Relationship to you: \_\_\_\_\_
5. Do you or anyone else living at the same residence own any stocks, bonds, securities or other financial instruments? ☐ Yes ☐ No  
Property: \_\_\_\_\_ Current Value: \_\_\_\_\_  
In whose name held: \_\_\_\_\_ Relationship to you: \_\_\_\_\_
6. Do you or anyone else living at the same residence own any real estate (houses, apartments, condominiums, cooperatives, two-flats, three-flats, etc.)? ☐ Yes ☐ No  
Address of property: \_\_\_\_\_  
Type of property: \_\_\_\_\_ Current value: \_\_\_\_\_  
In whose name held: \_\_\_\_\_ Relationship to you: \_\_\_\_\_  
Amount of monthly mortgage or loan payments: \_\_\_\_\_  
Name of person making payments: \_\_\_\_\_
7. Do you or anyone else living at the same residence own any automobiles, boats, trailers, mobile homes or other items of personal property with a current market value of more than \$1000? ☐ Yes ☐ No  
Property: \_\_\_\_\_  
Current value: \_\_\_\_\_  
In whose name held: \_\_\_\_\_ Relationship to you: \_\_\_\_\_
8. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute monthly to their support. If none, check here ☐ No dependents  
\_\_\_\_\_  
\_\_\_\_\_

I declare under penalty of perjury that the above information is true and correct. I understand that pursuant to 28 U.S.C. § 1915(e)(2)(A), the court shall dismiss this case at any time if the court determines that my allegation of poverty is untrue.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
(Print Name)

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**NOTICE TO PRISONERS:** A prisoner must also attach a statement certified by the appropriate institutional officer or officers showing all receipts, expenditures and balances during the last six months in the prisoner's prison or jail trust fund accounts. Because the law requires information as to such accounts covering a full six months before you have filed your lawsuit, you must attach a sheet covering transactions in your own account--prepared by each institution where you have been in custody during that six-month period--and you must also have the Certificate below completed by an authorized officer at each institution.

**CERTIFICATE**  
**(Incarcerated applicants only)**  
**(To be completed by the institution of incarceration)**

I certify that the applicant named herein, \_\_\_\_\_, I.D.# \_\_\_\_\_, has the sum of \$ \_\_\_\_\_ on account to his/her credit at (name of institution) \_\_\_\_\_.

I further certify that the applicant has the following securities to his/her credit: \_\_\_\_\_. I further certify that during the past six months the applicant's average monthly deposit was \$ \_\_\_\_\_.

(Add all deposits from all sources and then divide by number of months).

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE OF AUTHORIZED OFFICER

\_\_\_\_\_  
(Print name)